

Agreement to Contribute Funds

(City Form)

THE STATE OF TEXAS

COUNTY OF Travis

Contract No. _____

County Brazos

Federal Project No. _____

CSJ No. 0540-08-002

ROW Account No. 8017-1-48

This Agreement by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the **State**, and the City of College Station, Texas, acting by and through its duly authorized official under a Resolution dated the _____ day of _____ 20____, hereinafter called the **City**, *shall be effective on the date of approval and execution by and on behalf of the State.*

WHEREAS, the **State** is requesting the **City** to enter into a contractual agreement to pay for 10% of the right of way costs for a **State** highway project on Highway No. SH 40 with the following project limits:

From: FM 2154

To: SH 6; and

WHEREAS, the **City** has now requested that the **State** assume responsibility for acquisition of all necessary right of way for said highway project; and

WHEREAS, the **City** desires to voluntarily contribute to the **State** funds equal to ten (10) percent of the cost of the said right of way for the proper development and construction of the State Highway System;

NOW, THEREFORE, in consideration of the foregoing premises and the mutual benefits to be derived therefrom, the **City** shall contribute to the **State** an amount equal to ten (10) percent of the cost of the right of way to be acquired by the **State** and shall transmit to the **State** with the return of this agreement, duly executed by the **City**, a warrant or check payable to the Texas Department of Transportation in the amount of Three Hundred Twenty-Five Thousand and 00/100---- Dollars (\$ 325,000.00), which represents ten (10) percent of the estimated cost of the right of way. However, if it is found that this amount is insufficient to pay the **City's** obligation, then the **City**, upon request of the **State**, will forthwith supplement this amount in such amount as is requested by the **State**. Upon completion of the highway project and in the event the total amount as paid by the **City** is more than ten (10) percent of the actual cost of the right of way, any excess amount will be returned to the **City** by the **State**. Cost of the right of way acquired by the **State** shall mean the total value of compensation paid to owners, including but not limited to utility owners, for their property interests either through negotiations or eminent domain proceedings.

CITY OF COLLEGE STATION, TEXAS

EXECUTION RECOMMENDED:

By: _____
Mayor

District Engineer

ATTEST:

THE STATE OF TEXAS

Certified as being executed for the purposes and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission under the authority of Minute Order _____.

By: _____
Director of Right of Way

Date: _____